

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

JANE DOE, et al.

Plaintiffs,

vs.

HOWARD ZUCKER, et al.

Defendants.

Civil Action No.: 1:20 – CV – 0840 (BKS/CFH)

DECLARATION OF M.D. IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY
INJUNCTION

M.D., pursuant to 28 U.S.C. § 1746 declares under penalty of perjury as follows:

1. I am the parent of two medically fragile children. We reside in the Fayetteville Manlius School District in New York.
2. I write this declaration in support of the Plaintiffs' motion for a preliminary injunction and as a potential class member in this suit.
3. My oldest son had increasingly severe reactions to immunization. As an infant, he vomited, developed large painful swelled and hard lumps at the injection site and then began to show seizure reactions after immunizations.
4. After he got the MMR vaccine, the symptoms increased. He had severe swelling and brain injury and lost his ability to speak.
5. We chose not to vaccinate our younger daughter due to the reactions of her brother.

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6. In 2008, 2009, 2010, 2011, 2012, and 2013 we submitted medical exemptions written by our children's pediatrician, who is licensed to practice in New York.
7. Before the beginning of the 2014-2015 school year, our physician told us though she did not think it was safe for my children to receive any more vaccines and she stood by her multiple medical exemption letters she'd written, New York was adopting increasingly narrow policies on medical exemptions and she did not want to write more medical exemptions. She mentioned that the religious exemption was a much easier process.
8. We felt we had no other option but to write religious exemptions going forward as those are the only other option to keep our children safe from the vaccines. Although I have strong religious beliefs, I didn't think I would need to share them since they had been medically exempt for years.
9. In 2018, when the religious exemption was repealed, we went to our doctor again to get a medical exemption, but she said that she was unwilling to write any more medical exemptions for anyone given New York's "new law" despite her opinion that it is not safe to immunize our children any more.
10. My children were removed from school and the only option we had was homeschooling to save my children which put a huge financial hardship on my family. I had to go part time and work from home to homeschool. The stress caused my marriage to end. I am now going through a divorce.

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2 11. Both of my children have suffered depression not wanting to be in this world. Not

3 understanding why they have been kicked out of school and all their sports and not able
4 to be with friends.
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6 12. My doctor is scared to write an exemption given the new narrow regulations, even though
7 she has written so many before and clearly maintains that my children cannot safely be
8 vaccinated.
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10 13. I have to protect my children. They suffered severe and lasting harm from vaccines and it
11 has been acknowledged that they are some of those children for whom vaccines are not
12 safe.

13 14. My children have already lost so much. All they want is to be able to go to school, to get
14 services they need, to participate like the other kids. They pose no danger to anyone.

15 15. We need our doctor to be able to make this determination not on politics or arbitrary new
16 regulations, but based on her clinical judgment of what is safe for our kids.
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18 16. Wherefore, I respectfully ask this Court to grant the relief and let our children remain in
19 school pending the outcome of this case.
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21 RESPECTFULLY SUBMITTED this 16 day of August 2020

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M.D.

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26 DECLARATION OF M.D. IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION -
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